



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
Post Office Box 6898  
Elmendorf AFB, Alaska 99506-6898

**PUBLIC NOTICE DATE:** 3 June 2004  
**EXPIRATION DATE:** 6 July 2004  
**REFERENCE NUMBER:** POA-2004-543-4  
**WATERWAY NUMBER:** Red Fox Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Bristol Bay Borough, P. O. Box 189, Naknek, AK 99501

LOCATION: This project is located in sections 23, 24, 25, R. 45 N., T. 17 S., and sections 26, 27, 29, 30, 32, 33, 34, R. 44 N., T. 17 S., Latitude 58°40'56"N., Longitude 156°37'39" W., at King Salmon, Alaska extending 12 miles to Lake Camp (Latitude 58°40'24" N., Longitude 156°37'39" W.), on the Naknek River, Alaska. There is also an additional road extending 1.81 miles from the Lake Camp Road to Rapids Camp, located at Section 5, T. 18 S., R. 44 W., Latitude 58°38'35"N., Longitude 156°33'47"W., Seward Meridian.

WORK: Rehabilitation and realignment of an existing road including construction of new curves.

PURPOSE: Correct safety problems on the existing road, improve drainage and improve structural problems.

MITIGATION: As a result of early project planning, the applicant has proposed incorporation of two culverts at the Lake Camp Road crossing of Red Fox Creek.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: Not applicable; the proposed project is on palustrine scrub/shrub wetland habitat.

SPECIAL AREA DESIGNATION: The project will impact approximately 28.62 acres of wetlands described as PSS1/4B/ (palustrine scrub-shrub broad-leaved deciduous saturated/needle-leaved evergreen saturated)/ PEM1B (palustrine emergent broad-leaved deciduous saturated)/ and PEM1C (palustrine emergent broad-leaved deciduous seasonally flooded).

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should

reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ms. V. Glooschenko at (907) 753-2720 toll free from within Alaska at (800) 478-2712, or by email at [valanne.glooschenko@poa02.usace.army.mil](mailto:valanne.glooschenko@poa02.usace.army.mil) if further information is desired concerning this notice.

**AUTHORITY:** This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments



OF REGISTERED LAND SURVEYOR

Y THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND THAT THIS  
COMPANYING COORDINATE LIST REPRESENTS THE SURVEY MADE BY ME OR  
T SUPERVISION, AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS  
HAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

*Ralph J. Mancuso*  
REGISTERED LAND SURVEYOR

PV  
S 4  
*RAPIDS CAMP*

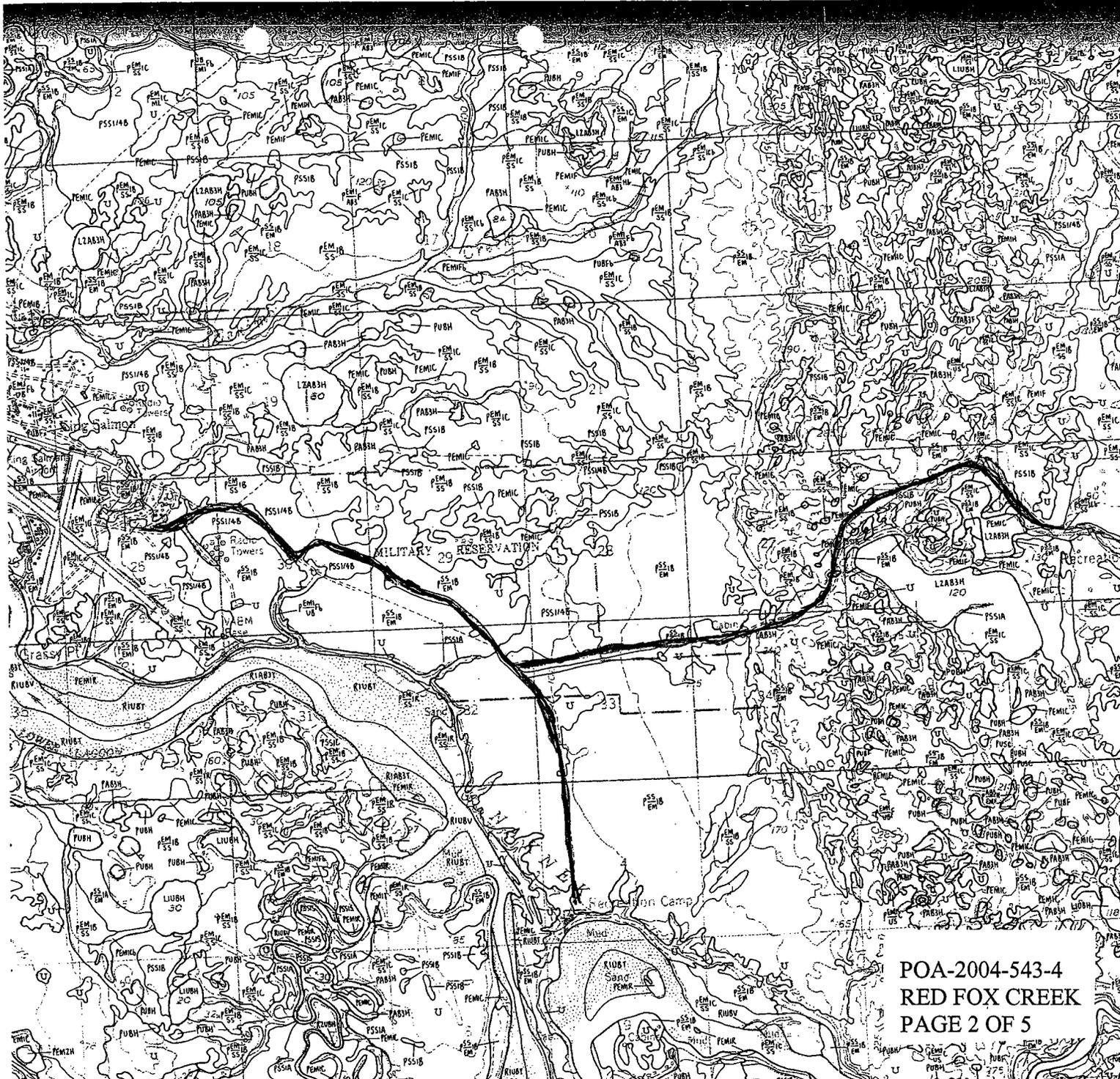
(MAP CENTER IS  $58^{\circ} 39' 17'' N$ ,  $156^{\circ} 32' 51'' W$ )

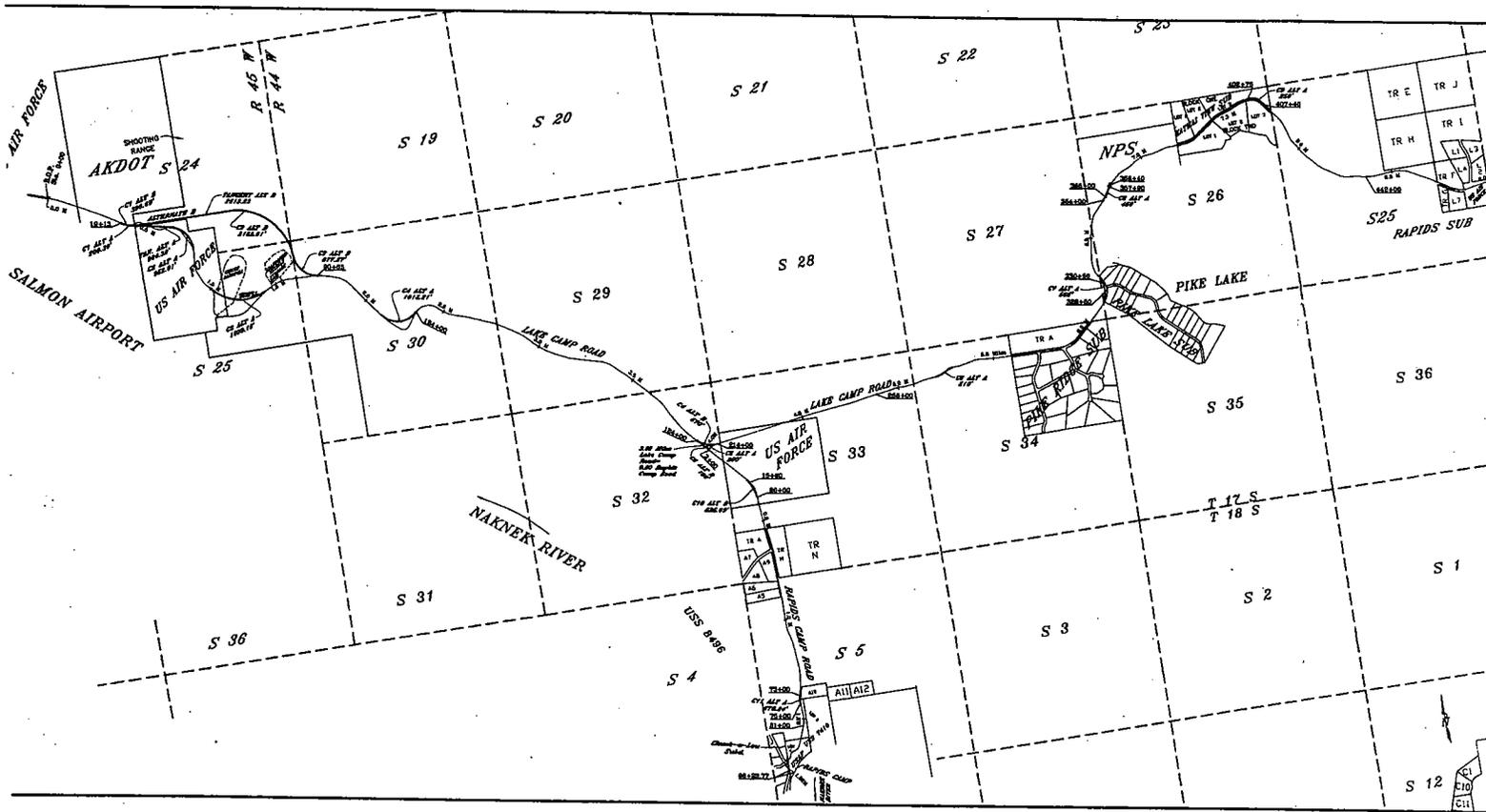


USGS QUAD NAKNEK C-2 1952  
1" = 1 MILE

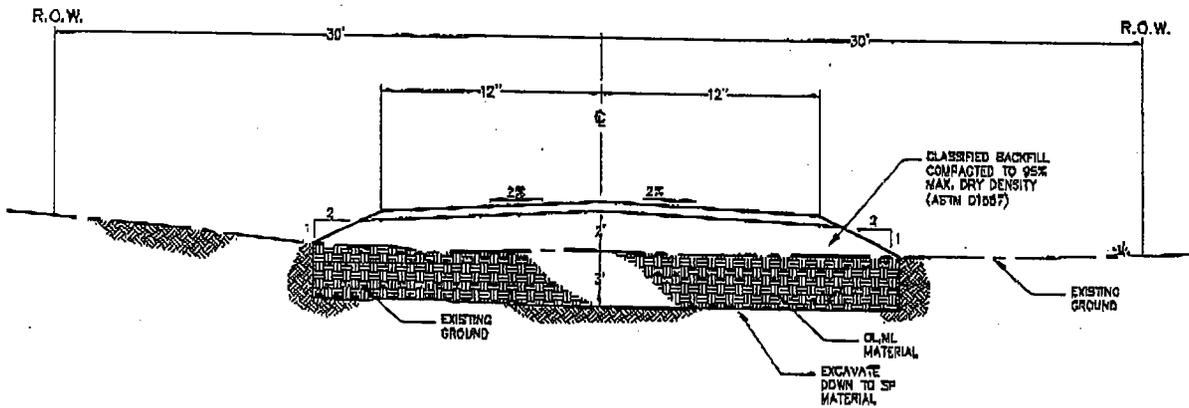
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RED FOX CREEK  
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# LAKE CAMP ROAD WITH NATIONAL WETZARD INVENTORY MAPPING



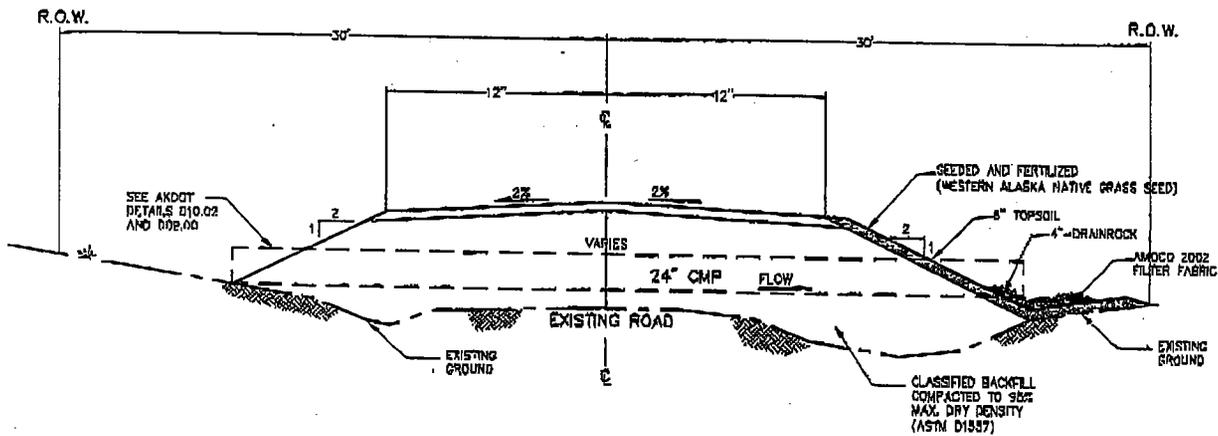


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**3** TYPICAL ROAD SECTION WITH EXCAVATION  
**C** 1"=5'

**DRAFT**



**4** TYPICAL ROAD SECTION WITH EROSION CONTROL  
**D** 1"=5'

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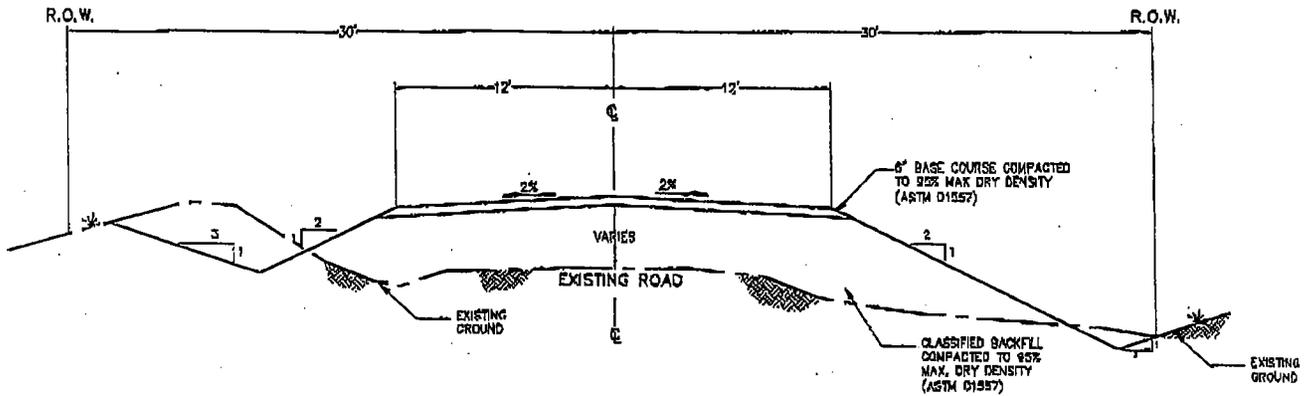
LAKE CAMP ROAD REHABILITATION  
 CIVIL DETAILS  
 KING SALMON, ALASKA

SCALE: AS SHOWN  
 DATE: 4/10/04  
 DRAWN BY: SC  
 CHECKED BY: SM  
 FILE:  
 JOB NUMBER: 325  
 SHEET NUMBER: 16/18

SHEET NUMBER

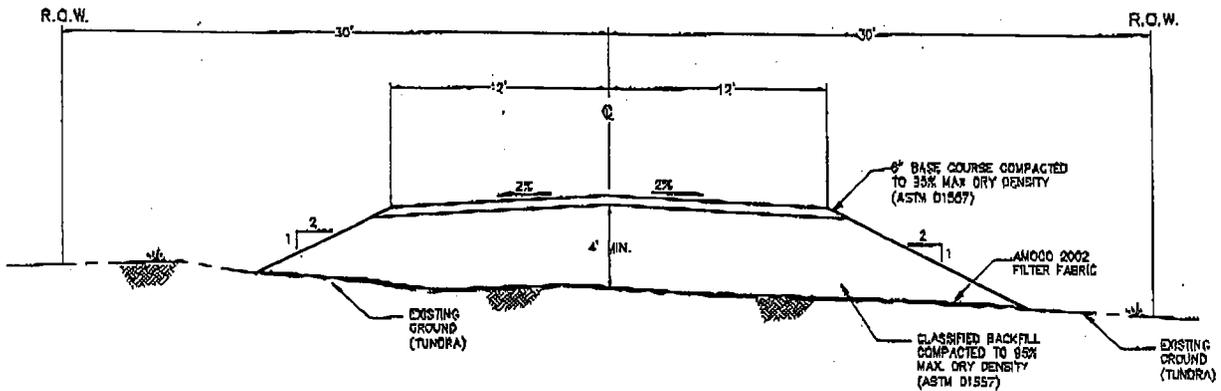
**C16**

1 OF X



1 TYPICAL ROAD SECTION AT EXISTING GRAVEL ROAD  
A 1"=5'

**DRAFT**



2 TYPICAL ROAD SECTION AT REALIGNMENTS  
B 1"=5'

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DRAWING STATUS / REVISIONS			
REV.	DATE	DESCRIPTION	BY



**HA** **HAAS & ASSOCIATES INC.**  
 CIVIL ENGINEERING  
 CONSULTANTS  
 3900 E. 112th Avenue  
 Anchorage, Alaska 99516  
 tel: (907) 348-8789  
 fax: (907) 348-8791  
 e-mail: haas@ga.net

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

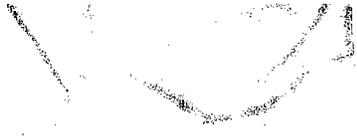
Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2004-543-4, RED FOX CREEK, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
555 Cordova Street  
Anchorage, Alaska 99501-2617  
Telephone: (907) 269-7564  
FAX: (907) 269-7508



FRANK H. MURKOWSKI, GOVERNOR

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

ALASKA COASTAL ZONE MANAGEMENT  
550 WEST 7<sup>TH</sup> AVENUE, SUITE 1660  
ANCHORAGE, ALASKA 99501-3568

**NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-2004-543-4, RED FOX CREEK**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.

Attachment 2